

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

SYMBOLOGY INNOVATIONS, LLC

Plaintiff,

vs.

AMERICAN EXPRESS COMPANY

Defendant.

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Case No: 2:15-cv-01172-JRG-RSP

PATENT CASE

**AGREED MOTION TO DISMISS DEFENDANT  
AMERICAN EXPRESS COMPANY WITH PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the terms of a separate agreement (“Settlement Agreement”), Plaintiff Symbology Innovations, LLC (“Symbology”) and Defendant American Express Company (“AMEX”) file this agreed motion to dismiss with prejudice. All claims between the parties have been resolved.

The parties, therefore, move this Court to dismiss this action and all claims by Symbology against AMEX with prejudice, with each party to bear its own costs, attorney’s fees and expenses.

Dated: September 1, 2015

Respectfully submitted,

/s/Jay Johnson

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Court Rule CV-7(i), I certify that on September 1, 2015, Jay Johnson, counsel for Plaintiff Symbology Innovations, LLC, conferred with Ms. Maxine Graham, Chief IP Counsel for Defendant American Express Company regarding this Motion. Ms. Graham confirmed that Defendant agrees with the Motion.

/s/Jay Johnson

Jay Johnson

**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on September 1, 2015.

/s/Jay Johnson

Jay Johnson